

Notice of Allowability

Application No.

10/693,620

Examiner

Donald L. Storm

Applicant(s)

JABRI ET AL.

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to AMENDMENT filed October 25, 2007.
2. ☒ The allowed claim(s) is/are 1-11, 14-25 and 39-49.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to the Applicant, an amendment may be filed as provided by 37 CFR § 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee. Authorization for this examiner's amendment was given in a telephone interview with Mr. Craig C. Largent, Attorney of Record, on November 14, 2007.

The application has been amended as follows:

IN THE CLAIMS:

In claim 24, line 3, change "a target signal" to --a first target signal--.

In claim 24, line 4, change "the target signal" to --the first target signal--.

In claim 25, line 1, change "23" to --24--.

In claim 25, line beginning *pulse from*, change "[[the]] a" to --the--.

In claim 39, line beginning *mapping the set of first quantized adaptive*, change "parameters" to --values--.

In claim 39, line beginning *second quantized*, change "parameters" to --values--.

In claim 39, line beginning *mapping the set of first quantized fixed*, change "parameters" to --values--.

In claim 39, line beginning *mapping the set of first quantized fixed*, change "second set of" to --set of second--.

In claim 39, line beginning *quantized fixed*, change "parameters" to --values--.

In claim 39, line beginning *quantized adaptive*, change "parameters" to --values--.

In claim 39, line beginning *parameters is*, change "parameters" to --values--.

In claim 44, final line, change "the destination" to --destination--.

In claim 47, next-to-last line, change "the number of selected pulses" to --a number of pulses in the vector of pulses--.

Allowable Subject Matter

2. Claims 1-11, 14-25, and 39-49 are allowed. The claims have been renumbered for printing to be claims 1-11, 12-23, and 24-34.

Response to Request

3. The Examiner has caused the drawing sheet containing Figs. 5 and 6 that was received October 23, 2003 (1 sheet(s),) to be re-entered as the Figs. 5 and 6 of record, effective October 25, 2007.

Information Disclosure Statement

4. A copy of the search report of the European Patent Office (received October 25, 2007) for Application No. 03757539 is present. The search report and its cited documents have been considered by the Examiner.

Response to Arguments

5. The prior Office action, mailed June 26, 2007, objects to the claims, and rejects claims under 35 USC § 112 and § 101. The Applicant's arguments and changes in AMENDMENT, filed October 25, 2007, have been fully considered with the following results.

6. With respect to objection to claims 24-25 as needing clarification, the amendment provides clear descriptions of the claimed subject matter. Accordingly, the objection is removed.

7. With respect to objection to claims 33-35 as needing clarification, the objections no longer apply because the claims have been canceled.

8. With respect to rejections of claims 12 and 13 under 35 USC § 112, the rejections no longer apply because the claims have been canceled.

9. With respect to rejections of claims 26-38 under 35 USC § 101, the rejections no longer apply because the claims have been canceled.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald L. Storm, of Division 2626, whose telephone number is (571) 272-7614. The examiner can normally be reached on weekdays between 7:00 AM and 3:30 PM Eastern Time. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571) 272-7602.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Inquiries regarding the status of submissions relating to an application or questions on the Private PAIR system should be directed to the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 571-272-4100 between the hours of 6 a.m. and midnight Monday through Friday EST, or by e-mail at: ebc@uspto.gov. For general information about the PAIR system, see <http://pair-direct.uspto.gov>. If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

November 15, 2007

/Donald L. Storm/

Primary Patent Examiner
Division 2626